

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 (BB-ACE)

RIO CHAMA STREAM SYSTEM
Section 5: Rio Gallina

Subfile No. CHGA-002-0027A

MOTION TO CORRECT CLERICAL ERRORS AND OMISSIONS

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order correcting clerical errors and omissions in the Consent Order filed October 29, 2001 (Docket No. 6398) in connection with defendants GABRIEL MAESTAS JR., MARY ANN MAESTAS, GENEVIEVE M. VELASQUEZ and LUIS TOBY MAESTAS and subfile CHGA-002-00027A, and as grounds therefore plaintiff states:

1. Under Fed. R. Civ. P. 60(a), clerical mistakes in judgments or orders arising from oversight or omission may be corrected by the court at any time on its own motion or on the motion of any party after such notice, if any, as the court orders.
2. The Consent Order and subfile map filed October 29, 2001 do not divide the “no right” tract described in the order into the correct 1/4 subsections of Section 15, Township 23 North, Range 1 East. Both the order and the subfile map require correction.
3. Correction of these errors will not affect the total amount of irrigated acreage described in the Consent Order, only the description of the 1/4 subsections where the “no right” tract is located

and the subfile map will be corrected and changed.

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order correcting the clerical errors and omissions described above.

Respectfully submitted,

/electronic signature/
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Motion to Correct Clerical Errors and Omissions was mailed to following persons on January 12, 2004.

/electronic signature/
Edward G. Newville

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